

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA *ex. rel.*
KEN MAILLY AND BARRY INGLETT,

Plaintiff,

v.

HEALTHSOUTH HOLDINGS, INC. *et al.*,

Defendants.

07-CV-2981 (WJM)

09-CV-483 (WJM)

ORDER

This matter having come before the Court on Defendants' Motions to Dismiss the Complaint filed under docket number 07-2981 ("the 2007 Complaint") and the related Complaint filed under docket number 09-483 ("the 2009 Complaint"); the Court having considered the papers submitted by the parties; for the reasons stated in its Letter Opinion of the same date; and good cause appearing,

IT IS on the ~~14th~~ day of January 2010, hereby

ORDERED that Defendants' Motion to Dismiss the 2007 Complaint is **GRANTED** and Plaintiff-Relators' Cross- Motion to Serve Beyond the Time Permitted is **DENIED**. The 2007 Complaint is **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss the 2009 Complaint is **GRANTED**. The 2009 Complaint is **DISMISSED WITH PREJUDICE**.


WILLIAM J. MARTINI, U.S.D.J.